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CONGRESSIONAL RECORD — HOUSE

September 19, 1985

His excellent history of the Massachusetts Legislature, published this summer by Secretary of State Michael J. Connolly, is a tribute to Dalton's high standards. When I last talked to him several weeks ago, he had just been released from the hospital and was thrilled as a child with a new toy because his five-year effort was rolling off the presses

THE RESCISSION REVISION

(Mr. DORNAN of California asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. DORNAN of California. Mr. Speaker, to quote Mark Twain, "It could probably be shown by facts and figures that there is no distinctly native American criminal class except Congress."

After carefully reviewing the budget resolution recently passed by this Chamber, I have to conclude that Mark Twain is probably right. The document is a fraud and by my best reckoning overstates fiscal year 1986 savings by \$27 billion. With accounting like that, it is no wonder people are crying out for budget reform.

Part of the problem with the budget process is a lack of accountability. In order that we might bring some small measure of accountability back to the process, I have recently introduced legislation that would amend the Budget Act of 1974 to provide that any rescission of budget authority proposed by the President, which are funds for which the President does not anticipate any current or prospective need, will take effect after 45 days unless disapproved by Congress.

As you are aware, under current law when the President requests a rescission, the funds must be spent unless the Congress approves the rescission within 45 days. Therefore, if the Congress does nothing, the money gets spent. This lets individual Members of Congress off the hook because they do not have to go on record as supporting or opposing specific budget cutting proposals presented as rescissions by the President. For instance, in fiscal year 1983, President Reagan proposed rescissions totaling some \$1.6 billion. The congressional reaction was to do nothing, and the money was spent. No vote, no record, no accountability. It was all nice and clean, and inherently destructive to budgetary responsibility.

There is no legitimate reason why the Congress should not be required to vote up or down on specific rescission proposals. My proposal would not shift the balance of power between the President and Congress in any significant way, but would bring some congressional accountability back to the rescission process.

We were all elected, everyone of us, because our constituents thought we were gritty enough to stand tall in representing them and make the tough decisions. It is about time that we started making those tough calls, and

amending our rescission process is a good place to start.

I therefore urge my colleagues to cosponsor this important piece of legislation.

Mr. Speaker, in my remaining time, I want to comment on the ABC program, "45-85" followup discussion last night on television, hosted by liberal stars Peter Jennings and Ted Koppel.

Last night's 3 hours of "45-85" was basically balanced although most important accomplishments of our country over the last 40 years were left out. But the hour-and-a-half discussion that followed the last evening news was nothing short of nauseous.

Why do we put on our free networks a paid, Soviet, hard-line Communist propagandist, the likes of Georgi Arbatov? Even Jeane Kirkpatrick was so disgusted with his outrageous lies that she came off as a disinterested party, while liberal journalists were generally obsequious. It was a disgusting performance by a weakly challenged Arbatov.

VOYAGE THROUGH THE GRAND CANYON

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona [Mr. McCAIN] is recognized for 5 minutes.

Mr. McCAIN. Mr. Speaker, during the August recess, I had the pleasure of accompanying a National Park Service River Patrol through the Grand Canyon on the Colorado River. I departed from the halfway point, Phantom Ranch, on August 12. I believe it is significant to note that this was exactly 45 years after Arizona's distinguished senior Senator, BARRY GOLDWATER, left Phantom Ranch on his maiden voyage through the Canyon.

Forty-five years ago, BARRY GOLDWATER was the 73d person to run the Grand Canyon, a tradition that began with noted adventurer and explorer, John Wesley Powell, in 1869. Between the Senator's voyage and my own, more than 100,000 people from all over the world have experienced the thrill of rafting the Canyon. A trip, through the Canyon is a far different journey today than it was 45 years ago. Yet, as Senator GOLDWATER has stated, "Any voyage on the Colorado River through its canyons is an experience known only to those whose travels take them to places where footprints are seldom seen." And I believe John Wesley Powell's words are as appropriate today as they were 116 years ago. "All about me are interesting geological words. The book is open, and I can read as I run. All about me are grand views, for the clouds are playing again in the gorges."

During my raft trip, I had the good fortune to spend time with members of the National Park Service River Patrol. I watched them perform their duties firsthand, in the form of a serious medical evacuation as well as en-

forcing river safety and sanitation. I am proud that our country has such dedicated public servants such as Kim Crumbo, Kim Johnson, Mark O'Neil, and Ruth Ann Murray, who are capable and willing to aid visitors on their journeys through the Canyon. These people are truly dedicated and committed to preserving our precious environment.

Although my trip was truly a remarkable experience, it did expose a problem: The issue of aircraft noise. This is largely the result of aircraft sightseeing within the canyon. While I do not deny the joy many must feel in viewing the spectacular sights that abound in the canyon, I do not believe this should be done at the complete expense of those trying to experience the canyon, accompanied by the sounds of rushing water, the cry of the blue heron, and the other unique sounds endemic to the area.

I am aware that the Superintendent of the Grand Canyon National Park Dick Marks who is performing an outstanding service plans to hold a series of public meetings this fall to examine the noise pollution question. I commend him for this effort. I believe the Congress should be prepared to act in whatever fashion appropriate to aid in a resolution of the noise issue. I also believe a solution must take into account any impact it could have on the economy of the surrounding communities while respecting the rights of those seeking the river's solitude.

Of the countless natural treasures our Nation possesses, the Grand Canyon is truly one of the most magnificent. Over the years millions of visitors have had the opportunity to enjoy the canyon as well as our other natural wonders. I believe it is our duty as responsible Members of Congress to ensure that our children and our children's children yet to come can experience these treasures and have such an opportunity.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona [Mr. UDALL] is recognized for 5 minutes.

Mr. UDALL addressed the House. remarks will appear hereafter in Extensions of Remarks.]

A MOLE AMONG THE GERBILS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Connecticut [Mr. McKINNEY] is recognized for 5 minutes.

Mr. McKINNEY. Mr. Speaker, on April 2 of this year I introduced H.R. 1924, a bill to prohibit the use of polygraph tests in private industry in connection with applications for employment or as a condition of continued employment. In July the Subcommittee on Employment Opportunities held hearings on the issue of polygraph testing in the workplace, and yesterday the subcommittee favorably reported polygraph

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Who will be affected most if measures are not enacted to curtail the amount of imports flooding American markets? It will not be middle or upper class America. Instead, the Americans who can least afford it will be affected the most. Only last week I talked with a vice president at Dan River Mills in Alabama. He was making preparations for a mill to be permanently closed in only a few weeks. The employees are 85 percent black with a majority being women. When the plant closes the vice president will also lose his job, so the problem, Mr. Speaker, is affecting all classes, but with minorities obviously hardest hit.

Where can a 50-year-old black man who has been a loom fixer in a textile mill most of his entire adult life find a new job? Or what about a single-parent mother of four with only a high school education, and a home mortgage due at the end of each month? These are your typical textile workers, but where can they find new jobs? Relocate? Certainly, this is not a realistic option, because most workers own a home in the town where the mill was closed and it would be totally impractical to sell their home, pull up stakes, and locate elsewhere. The textile mill is usually the only employer in a small town, and when it closes down so does the entire community. As another alternative, should they get a job with one of the new high-tech industries of the future? With little formal education, textile workers are unlikely candidates for a position with a computer or electronics company. So where do they go?

Mr. Speaker, I contend the answer that is best for America and for the millions of citizens who depend on this industry for their livelihood, is for this Congress and the current administration to agree on legislation that is currently pending before Congress that will place limits on the amount of goods foreign nations can export to America. This legislation will also enforce trade agreements that constitute a fair international trade policy. I have grave concerns that if measures are not taken, and soon, we will witness Hong Kong, Korea, and China dominating the textile industry—an industry that America can little afford to lose.

And, Mr. Speaker, why should we not pass this critically needed legislation? Some opponents of the legislation say that quotas would increase prices for Americans. But, in reality, retailers already take cheap imports and oftentimes mark them up several hundred percent so that they are barely less expensive than domestic materials. Therefore, I suggest that no real increase in prices would be forthcoming, only a decrease in profit for retailers who are now benefiting from cheap imported products. Other critics contend passage of the textile bill would start a trade war. But again, Mr. Speaker, in reality this would not be

the case because currently the United States has a tremendous trade deficit with the major textile producers in the world. There is no reason to believe whatsoever that these countries would cut off the few goods that are being imported into their countries.

Mr. Speaker, I would hope the President, in the coming days, will see the necessity for passage of the current textile bill before the House and Senate, and lend his support to this measure. Anything less will mean the continued loss of jobs in America's No. 1 manufacturing industry, the textile/apparel industry, and the continued erosion of our Nation's industrial base.

CORNELIUS M. DALTON, DISTINGUISHED POLITICAL WRITER, COLUMNIST, EDITOR

(Mr. BOLAND asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous matter.)

Mr. BOLAND. Mr. Speaker, I was saddened to learn of the death last week of Cornelius M. Dalton, the renowned former political columnist and editor of the old Boston Herald-Traveler. I had known Connie Dalton since my service in the Massachusetts Legislature and can personally attest to his fairness and perceptiveness as a reporter, columnist, and editor. He was a stickler for details and the truth in a broad spectrum of local, State, and national affairs, and he was the preeminent dean of Massachusetts political columnists. Connie Dalton's crowning work in his long and scholarly writing career was an excellent and illuminating history of the Massachusetts Legislature, which was published last summer.

Mr. Speaker, I extend my profound sympathy to Connie Dalton's beloved wife, Frances, and his three sons. I ask permission to have printed with my remarks an excellent column on Connie Dalton by David Farrell in the Boston Globe on Monday, September 16, 1985:

CORNIE DALTON: THE MR. CHIPS OF POLITICAL COLUMNISTS

(By David Farrell)

U.S. House Speaker Thomas P. O'Neill Jr. said it all when he described Cornelius M. Dalton, former political columnist and editor of the Boston Herald-Traveler, as "a grand gentleman... a great guy, honest and fair and decent in his reporting. I have never met a journalist who was more highly admired and respected."

The scholarly Dalton, who wrote about local and national politics for more than four decades, died last Thursday. His death caused little more than a ripple in the local media which is dominated by people who were in diapers when Dalton was in his prime.

But the qualities that made him special will never pass away. His integrity, professional standards, patriotism, warmth and sincerity were the hallmarks of his distinguished career.

Dalton was one of a kind. As a young political reporter in the early 1950s, I had the

good fortune of breaking in under him at the State House.

He was a beautiful man, my Mr. Chips. He could get angry, but he never cursed and always maintained perfect decor. He quietly practiced his Catholic faith to which he was as true as he was to his wife, Fran.

When I think of men who have had a profound influence on my life, Connie ranks at the top with the Edward Hanifys, Eugene Moriarty and Jesuits at Boston College High School.

There was no guile in this honest man whose conscientiousness about his responsibilities bordered on the extreme. He was stickler for detail, for the precise word or phrase he felt would convey what he wanted to say. I can recall many times watching him staring at the copy in his typewriter in the State House pressroom and agonizing, sometimes for as much as an hour, over the wording of a particular paragraph.

Although he regularly labored long and hard for his scholarly columns about the issues of the day, he was not all work and no play. Occasionally after the day's work was done, he would hoist a couple of drinks at the old Bellevue Bar and engage some of his contemporaries in lively discussions about whatever else happened to be of interest at the time.

He could take a ribbing from his colleagues and often did. Mun Owens of the Globe, Jim King of the Associated Press and John (Chartreuse Gallagher) O'Conner of the Herald delighted in needling Dalton about his preoccupation with the "menace of communism" in America.

His lifelong concern with communism grew out of his wartime service with the Army Counterintelligence Corps and its focus on the subversive activities of local party functionaries.

After World War II he returned to the afternoon Traveler and wrote extensively about communists in America. He became friendly with FBI counter-spy Herbert Philbrick of Melrose, whose undercover role was revealed in a New York federal courtroom in 1949 and exposed the extent to which the Communist Party was infiltrating labor unions and other groups in the United States. Philbrick subsequently wrote a book, "I Led Three Lives," which was made into a popular television series in the 1950s.

Dalton concentrated on Massachusetts party officials such as Ann Burlak Timpson and Otis Archer Hood to such an extent that he once was accused by a communist labor organizer of being an undercover man for the House Un-American Activities Committee.

Throughout much of his career, Dalton lived in the shadow of the late Herald political editor William E. Mullins, whose "This Is How I See It" column dominated the New England political scene.

Under the direction of the late Herald-Traveler publisher Robert B. Choate, the widely read Mullins generally promoted the GOP cause in the Republican Herald. Dalton was too independent for anyone, Choate included, to dictate or even suggest what he should write.

Once when Dalton learned that an editor was preparing to sanitize and improve the taped responses of a prominent politician with whom he had conducted an interview, he became angry as I ever say him, charged into Choate's office and aborted the scheme.

With the death of Mullins in 1958 and Dalton's transition to full-time columnist, Connie came into his own and enjoyed the status of being the dean of local political writers.

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legislation. It has taken many years for such legislation to move this far, and I hope this measure quickly moves through full committee and onto the House floor for discussion and vote.

My colleagues, the issue of lie detector tests in private industry can no longer be ignored, and their rampant use no longer tolerated. I urge you to help put an end to the countless humiliating and frustrating experiences to which the American people are subjected because of the polygraph. There are hundreds of cases that I could relate to you describing the unreliability of lie detector tests and their accusatory and demeaning nature, but I will limit myself to two such examples.

In the March 11, 1985, edition of Newsweek magazine, Mr. Irving Kaler, an attorney in Atlanta, GA, wrote an article about his young son's ordeal with the polygraph. Mr. Kaler's son, Michael, applied for a job at a local discount store in the pet department. Michael was to assume the duties of handling animals such as rabbits, goldfish, and puppies and stocking supplies. He would handle absolutely no cash since all purchases are made at the registers at the front of the store. Michael was required to take a polygraph test as a condition of employment. He flunked the test and was denied employment. Mind you, Michael is only 16 years old—16 years old and thanks to some mechanical contraption is now branded as deceitful, an infamous scoundrel, a would-be birdseed burglar. Talk about child abuse, let alone violating one's civil rights guaranteed by our Constitution. This story horrified me, and I wonder how you would feel if your teenager was unable to find employment because he or she could not pass a polygraph test.

The second incident involves a woman working in a California grocery store who was required to take a polygraph test after money was found missing from a store register. It was not her register but she was required to take the test out of fairness to all employees. Unfortunately, this woman failed the test and was promptly fired from her position. One of the employees told her that not only did he take the money but he also passed the test. This is a common example of countless situations when people lie and pass the polygraph test, while others tell the truth and are wrongly punished.

The Congressional Office of Technology Assessment in a recent study of the validity of polygraph testing concluded that the percentage of innocent people found deceptive is as high as 50 percent. Too often, innocent people are labeled liars or social misfits. Consequently, potential or current employees, people both valuable and productive, are needlessly denied employment. In addition, employees who fail the lie detector test often find that their alleged deceptive or dishonest tendencies become part of their personnel record, hindering future employment. As brought out during the polygraph hearings, over 2 million people are given these inaccurate, unreliable, intrusive tests annually. Why are we allowing our constituents to be subjected to this horror?

Fellow colleagues, I urge you to give this issue your utmost attention so that we can

make the use of this barbaric workplace practice a part of history.

I call your attention to the following Newsweek article, which I earlier mentioned.

A MOLE AMONG THE GERBILS?

(By Irving K. Kaler)

It wasn't until my son Michael applied for a job as a stockboy in the pet department of a local discount store that I learned that I was the father of a potentially hardened criminal.

As a condition of his employment, Michael was subjected to a lie-detector test. After all, the pet department must be protected from unwittingly giving employment to a possible guppy snatcher or a goldfish filcher. But Michael, who is only 16 and who has never had any altercation with the law, became understandably agitated when asked questions such as how many times he had been married (none), and how many times he had been arrested (again, none).

Apparently, the machine and the operator made no distinction between one type of agitation and another, so Michael, whose nature is open and guileless, was declared to have flunked that test. Michael's only transgressions are an excessive volubility in class and perhaps an affinity to a father whose humor inclines more toward Milton Berle than to Russell Baker.

Now, thanks to this incident, I almost feel as if I have joined the company of Ma Barker in the pantheon of wicked parents. I avert my eyes when passing our neighborhood post office, apprehensive that there is displayed an unflattering picture of my son.

This episode jarred me into investigating the current use of the lie-detector device, also known as the polygraph. Why, for instance, are we Americans increasingly willing to consign to some person or machine our right to think and make determinations for ourselves? It is bad enough that we entrust this authority to politicians, but it is absolutely incomprehensible that we rely upon some goofy, Rube Goldberg-type contraption to make sensitive decisions.

FEELING

It so happens that Michael has an unusual aptitude for caring for small animals. As a matter of fact, he has a regular job with a neighbor feeding and watering chickens, rabbits and even ponies. The machine that disqualified him is not capable of discerning this special feeling and regard.

This box which measures pulse rate, blood pressure, respiration and perspiration, is being used, I learned by a great many businessmen and retailers to screen employees; at least a million tests are performed each year. In the store where Michael works carrying customers' bags to their cars, only a few departments administer a polygraph test. Under this idiosyncratic policy, he has been disqualified from stocking birdseed, but not from becoming a manager.

I am not alone in registering any apprehension about this matter. There is increasing opposition to the expanded use of the polygraph, based on concerns that the machine represents an invasion of privacy and that its findings are often unfounded an imprecise. Twenty-two states and the District of Columbia prohibit employers from requiring an employee to take a lie-detector examination. Congress is considering a bill that would restrict its use by federal agencies, except the CIA and National Security Agency, and require the consent of the person being examined. A federal judge in Macon, Ga., Judge Wilbur D. Owens Jr., has also noted that "because of the lack of scientific evidence in support of polygraph va-

lidity, polygraph results are inadmissible as evidence in criminal prosecutions, both in the United States courts, and in Georgia courts."

In his potentially landmark decision, Judge Owens recently ruled that it is unconstitutional for certain Georgia municipalities to compel their employees to take lie-detector examinations even during departmental investigations into suspected drug use. "No device known to man can 'read' an individual's mind and indicate whether that person is lying," he said. The test, he found, is "nothing more than the polygraph examiner's personal opinion of the truthful or deceptive manner in which the questioned person responded." The examiner formulates the questions; the employee is not allowed to present any evidence or otherwise dispute a suggestion of wrongdoing. "The polygraph examiner in reality becomes both judge and jury."

Moreover, the polygraph report may become a permanent part of an employee's records, and he can never compel a correction. Thus, like the mark of Cain, detrimental results can pursue him forever and mar his chances for any job. As Judge Owens points out, this may violate his rights under Fourteenth Amendment.

GUARDS

I recently went to the pet department of the store I mentioned earlier and was appalled by the indifferent care accorded the rabbits, guppies, hamsters, goldfish, canaries, gerbils, parakeets and puppies being sold there. I also noticed that no money is exchanged in that department since all purchases are concluded at a battery of cash registers at the front of the store. Only pets, or their supplies, can be pilfered. And I can't imagine any commodity less capable of being smuggled through the maze of detectors, sonic beams, sound alarms, turnstiles, guards, clerks and cashiers than a squirming rabbit, or more difficult to camouflage than a bulbous goldfish bowl.

Men and women of America, it is time we rise in indignation against this untrammeled invasion of our humanity! After all, we should possess a greater power to reason than some cold and merciless machine which, in all likelihood, hates rabbits, puppies and even those limpid-eyed guppies.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. RAY] is recognized for 5 minutes.

[Mr. RAY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois [Mr. ANNUNZIO] is recognized for 5 minutes.

[Mr. ANNUNZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. BILIRAKIS] is recognized for 15 minutes.

[Mr. BILIRAKIS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

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September 19, 1985

SUPERFUND

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. ECKART] is recognized for 60 minutes.

Mr. ECKART of Ohio. Mr. Speaker, today I wish to direct the attention of the House to an issue of grave importance to us all, the imminent expiration of the Superfund Hazardous Waste Cleanup Program and the urgent need to reauthorize it.

Failure to pass a 5-year reauthorization of this important environmental protection program will unnecessarily expose thousands of our constituents across the United States to the unnecessary risks of continuing to live with these awful cancerous substances in their backyards.

As this first chart so graphically illustrates, Mr. Lee Thomas, EPA Administrator, recently advised the Congress of his intentions, through the balance of this fiscal year and through the next, to spend between \$900 million and \$1.05 billion under their current spending program.

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That kind of money could mean a lot of relief to our constituents who find these hazardous waste dumps littering their backyards. But because we have failed to yet authorize Superfund for another 5 years, as this chart so clearly indicates, under the contingency plan developed by Mr. THOMAS, that spending would go from almost \$900 million in fiscal year 1986 to the dangerously low level of \$145 million. This means that from those very high projected expenditures, EPA will slash and cut, stop and discontinue meaningful enforcement and cleanup programs all across the United States because of congressional inaction.

Whether we agree or disagree with any of the several proposed bills, including the one that Congressman NORM LENT and I guided through the House Energy and Commerce Committee, and which was approved by a margin of 31 to 10, the course and the cause of this session of Congress ought to be clear: Failing to reauthorize Superfund subjects our constituents to only the most egregious hazardous waste dangers.

Cleanup has already been delayed or slowed at 67 sites across the United States, including 4 in my own home State and 2 in my own district. Thirteen in New Jersey, five in Massachusetts, four in California, three in Washington, and the list goes on.

But even if we were to pass an extension in Superfund taxing authority to give us more time to act, the infusion of money into the EPA would be nowhere near enough to keep the program moving. As this second chart shows, there would be a shortfall of almost \$685 million between that which the Agency has simply requested and that which a 3-month extension would provide.

My friends, there are \$685 million unspent toward the cleanup of this Nation's hazardous waste, money that is long overdue and which needs to be spent. But by far, the worst effect of our failure to reauthorize Superfund is seen so dramatically and clearly when we compare the remaining cleanup funds with the proposed cleanup funding levels in my bill, H.R. 2817, the Superfund reauthorization legislation passed by the Energy and Commerce Committee.

As this chart so graphically demonstrates, under H.R. 2817, compared with the administration's request, and compared with the contingency plan and meaningless 90-day extension advocated by some of our adversaries, you can quickly see that the difference is \$1,785,000,000 less: \$1.7 billion less of cleanups; \$1.7 billion less of removing cancerous, hazardous waste dumps from our constituents' backyards.

An astonishing figure, Mr. Speaker, and a number that could mean so much more to clean water, clean air, and a prevention of environmental disasters all across this Nation's landscape. My friends, a clean, safe, and healthy environment truly has no price. It is invaluable. But saving our health and environment truly does. Its price is hard work, determination, and dedication on the part of the Members of the House and indeed, even of the other body, which this very day, some of which I agree and some of which I disagree, is nonetheless moving inexorably toward meeting that critical September 30 deadline.

Let us not play politics; environmental, industrial, or partisan politics with the health and welfare of millions of constituents all across this Nation. Reauthorization for 5 years of Superfund, and particularly H.R. 2817 which provides \$10 billion for cleaning up the Nation's worst hazardous waste sites is a political, economic, and environmental imperative.

THE FARM CREDIT CRISIS

The **SPEAKER** pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. WEBER] is recognized for 30 minutes.

Mr. WEBER. Mr. Speaker, on September 3, I held a hearing on the farm credit crisis with Congressman TOM DASCHLE in Worthington, MN. This hearing was an excellent opportunity to receive testimony on the farm credit situation from a broad spectrum of rural America. We heard from bankers, farmers, farmers' wives, a representative of the Farm Credit System, and representatives of farm groups. Their testimony demonstrated just how serious the situation is in rural America, and how desperately congressional action is needed to avoid a complete disaster.

Because Congress will be taking up the farm bill tomorrow, and will in all likelihood vote on the farm bill next week, and because in all likelihood

credit legislation may be acted upon this year, I think our findings at this hearing are especially timely and important. Time and time again I heard from my constituents, "Do people understand in Washington? Are they hearing our message?" This is a great frustration in rural America today. Congressman DASCHLE and I pledged that we would report back to Washington the feelings of those people that met with us in Worthington as well as in South Dakota earlier in the day. I want to report to my colleagues in Congress on these hearings, and recap the views that were presented. The testimony we heard included an overall presentation of the credit crisis in rural America, accounts of how this crisis is affecting individuals, descriptions of the situation rural bankers face, and a report on the problems of the Farm Credit System.

The reports that I am going to make to the Members now in the course of this special order consist mainly of direct quotations from individuals, not Members of Congress, but individuals who are on the front line, either as borrowers or lenders in the Farm Credit System.

Leslie Peterson, the president of the Farmers State Bank of Trimont, gave us an overview of the credit situation in rural America. He said that the situation is "critical and continues to deteriorate, more rapidly now, particularly in the midsection of the country." He quoted studies that estimate half of the farm debt in America is under stress and one-third in serious trouble. Then he outlined how the credit crisis is having an impact on all lenders and more specifically on rural banks:

The farm credit crisis is rapidly being transferred to the lending industry along with the responsibility for determining who remains farming. Lenders are finding the task of determining who remains farming extremely difficult because there is no price support structure in place to base projections on.

The losses realized after liquidation of these farm operations will be assumed by the lenders. These losses are in turn passed on to the good borrowers in the form of higher interest rates and fees. These imposed responsibilities on lenders are a primary reason many are withdrawing from the farm credit field and even rural communities.

The credit crisis with loan defaults and the resulting losses adversely impact all lenders and more specifically country banks in many ways:

There is a public loss of confidence in the private financial institutions. Deposits will move elsewhere or above market rates will have to be paid to retain them. The farm credit system is already experiencing this increased cost of funds in the market which is passed on to borrowers.

Above market loan rates must be charged to off set losses and loans on nonaccrual. This drives the good customer to competing sources of credit and financial services.

Legal defense costs and bankruptcies become a significant part of the cost of lending.

Personnel costs to properly supervise marginal credits and monitor the lenders securi-

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insurance that public funds are properly spent, as of course, does the beneficiary.

In my view, Congress, by adopting these provisions, can take an important step in helping to direct the Commission into an area of critical importance to individuals and to our society. Given the human dimension of the problem and the vulnerability of the individuals involved, this area may represent the ultimate need for consumer protection. I hope the Senate and the President will not hesitate to support these provisions.

POLYGRAPH PROTECTION ACT OF 1985

HON. DEAN A. GALLO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 18, 1985

Mr. GALLO. Mr. Speaker, I have recently joined many of my colleagues as a cosponsor of H.R. 1524, the Polygraph Protection Act of 1985. It is estimated that each year at least 50,000 workers are wrongfully denied employment because they refuse to take polygraph tests or because of the inaccuracies in the tests when they are administered incorrectly.

H.R. 1524 simply prohibits the use of truth verification devices in the workplace. I have cosponsored this bill in an attempt to prohibit individuals from being denied employment unfairly or having their privacy invaded.

I would like to point out, however, that there are certain industries whose responsibilities merit an exemption from this legislation. In particular, I strongly recommend and support an exemption from this legislation for the security industry.

For instance, Wells Fargo Armored Service Corp., Wells Fargo Guard Services, Burns International Security Services, and Baker Industries operate in 44 States, employing over 39,000 people. These companies' armored cars service the Federal Reserve, the Bureau of Engraving, and financial institutions nationwide.

On any given day, Wells Fargo and Burns International will handle \$1 billion.

Statistics show that more than 65 percent of total losses in the armored car industry are the result of internal theft.

Under these circumstances, it is appropriate that security companies be permitted to use trained examiners to administer polygraph examinations in applicant screening, periodic testing, and with reference to specific events.

Congress has already recognized situations where the use of polygraph tests are appropriate. The DOD appropriations bill has been amended to require polygraph exams for those individuals whose duties involve access to classified information.

The aim of this legislation is laudable: to protect the right of privacy and protection of the individual as guaranteed in the Constitution. However, this bill is not perfect. An exemption for certain industries, particularly when the public trust is involved, would move it closer to the realm of legislative perfection.

I hope that my fellow cosponsors of H.R. 1524 will join me in urging such an amendment.

SIXTH MARINE DIVISION

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 18, 1985

Mr. BILIRAKIS. Mr. Speaker, this week in Clearwater, FL, a very special group of patriots is holding its annual reunion.

The 6th Marine Division was first activated on Guadalcanal, British Solomon Islands on September 7, 1944. From September 1944 until March 1945 the 6th Marine Division trained on Guadalcanal for its first and only combat operation, Okinawa. All units were awarded the Presidential Unit Citation for extraordinary heroism in action against the Japanese forces during the assault and capture of Okinawa; April 1-June 21, 1945.

Returning to Guam, the division immediately started to train for the invasion of the Japanese homeland. It was at this time that the war ended. The 4th Regiment went to Tokyo Bay for the occupation of the Yokosuka Naval Base, and the rest of the division went to Tsingtao, China, to effect the surrender of the Japanese on Shantung Peninsula.

The 6th Marine Division remained at Tsingtao, China, as an occupational and repatriation force until deactivated on April 1, 1946. The "Striking Sixth" had the unique record of being the only American division that never served in the United States. In body, the "Striking Sixth" was dead. In spirit, it will live forever in the memories of thousands who had served and fought in Melanesia, Micronesia, and the Orient.

In 1970 the Sixth Marine Division Association was formed to pay tribute to the uniqueness of the "Striking Sixth." It also provided them the opportunity to rekindle friendships and recall memories through their annual reunion such as the one held this week in Clearwater.

Mr. Speaker, it is my honor that these men are meeting in Florida's Ninth Congressional District. May this entry in the CONGRESSIONAL RECORD reflect the heartfelt thanks from a grateful and free nation.

REAR ADM. THOMAS S. MADDOCK, TWICE A CITIZEN

HON. ROBERT E. BADHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 18, 1985

Mr. BADHAM. Mr. Speaker, on September 30, 1985, after more than 33 years of service to our Nation and to the U.S. Naval Reserve, Rear Adm. Thomas S. Maddock will retire. He is currently serving as the commander of the Reserve Naval Construction Force and commander of the 1st Reserve Naval Construction Brigade.

The brigade consists of 9 Reserve naval construction regiments, 17 Reserve naval mobile construction battalions, 4 Reserve naval construction force support units, and

13 construction battalion hospital units throughout the United States. With more than 17,000 officers and enlisted reservists, the brigade is the largest single command in the naval Reserve. These are commissioned units highly trained, hardware equipped, self-sufficient, combat ready, prepared to deploy anywhere in the world in response to contingency construction requirements in the early days of any conflict.

In addition, Rear Admiral Maddock administers the Reserve Division, Naval Facilities Engineering Command and the assistant chief of staff for construction management of the Commander in Chief, U.S. Naval Forces Europe. The Reserve division stands ready to augment the military staffing of the Naval Facilities Engineering Command and bring it to wartime manning levels and production capabilities. The assistant chief of staff for construction management is unique in that it is a wholly reserve staff organization functioning on a daily basis as an integral part of an active duty command—the only such operation in the U.S. Navy. These units, together with the brigade, comprise the triad that is the Reserve Naval Construction Force.

The Navy Seabees have a long history and rich tradition as a highly efficient "Can Do" organization. They have served our Nation with distinction and honor since the early days of World War II. Rear Admiral Maddock has continued and built on that history and tradition, significantly improving the mobilization readiness, morale and prestige of the Reserve Seabees.

Today, there is a resurgence of pride in serving our country and it is most fitting to recognize these contributions. I am pleased to call attention to Rear Admiral Maddock's years of dedication to the cause of our national defense. Rear Admiral Maddock was commissioned in the Navy Civil Engineer Corp in 1952, and served on active duty with the Seabees in the Philippine Islands and then at Marine Corps Air Station, El Toro, CA. After joining the Naval Reserve in 1957, he served in a variety of positions with ever-increasing challenges and responsibilities. His command positions have included commanding officer of Reserve Naval Mobile Construction Battalion 17, Port Hueneme, CA (selected as "best of type" in 1969); commander, 1st Reserve Naval Construction Regiment, Los Alamitos, CA; chief of staff for the Reserve Naval Construction Force, Kansas City, MO, and assistant chief of staff for construction management, commander in chief, U.S. Naval Forces Europe, London, United Kingdom. He was selected and promoted to rear admiral in 1981 and assumed command of the Reserve Naval Construction Force in September 1983.

His awards for accomplishments in the Naval Reserve include the Navy Commendation Medal, the Meritorious Service Medal, and the Legion of Merit. The latter award was for his performance as the assistant chief of staff for construction management, U.S. Naval Forces, Europe.

During his tenure as commander, Rear Admiral Maddock personally initiated great improvements in the Reserve Naval Construction Force. Under his leadership,

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mockery of "free trade." The United States, for all its free trade rhetoric, has adopted policies which have simply encouraged the continuance of protectionist practices. By virtually declaring that we will never retaliate against closed markets, this administration has invited our trading partners to play us for a chump. This must stop.

My bill, which is similar to a bill already reported favorably by the Senate Commerce Committee, includes the following key provisions:

Make "substantially equivalent access" the explicit goal of U.S. telecommunications trade negotiations;

Require the U.S. Trade Representative to investigate and identify telecommunications trade barriers which deny U.S. companies "substantially equivalent access" abroad;

At the end of 1 year, require the President to correct any remaining imbalance in competitive opportunities, using any of a series of remedies, including duty increases, restrictions on registration or approval of equipment, government procurement authorities and other.

Without such an approach, we have no hope of defeating protectionism and restoring free trade. I urge all my colleagues to join the fight for free trade, in telecommunications markets and elsewhere, by insisting that provisions like the ones I am introducing today be enacted by Congress before the end of this session of Congress.

NEW ZEALAND SEES THE LIGHT ON U.S. SHIP VISITS

HON. WM. S. BROOMFIELD

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 18, 1985

Mr. BROOMFIELD. Mr. Speaker, I am delighted to share with the Members an article concerning the Government of New Zealand's encouraging announcement concerning U.S. ship visits to that country.

According to the recent news report, the Government of that country will not ask the United States to confirm or deny whether nuclear weapons are present on visiting U.S. ships.

I welcome this good news and believe that it is an important first step in getting relations between our two nations back on track. We all understand the growing strategic importance of the Pacific region and America's expanding security and economic ties with that vital region. Let us hope that our negotiators will be able to work out any remaining problems with the Government of New Zealand in the interest of promoting peace and stability in that critical region of the world.

I am certain that my colleagues will join me in hoping that this initial indication of better ties with our traditional ally, New Zealand, will be fruitful and that mutually beneficial efforts between our two nations will continue.

[From the Washington Post, Sept. 13, 1985]

NEW ZEALAND SHIFTS STANCE ON U.S. NUCLEAR SHIP VISITS

WELLINGTON, NEW ZEALAND.—Prime Minister David Lange, moving to heal a rift in a

defense pact, said yesterday that New Zealand will tell the United States it does not have to specify whether visiting U.S. warships are nuclear-armed or powered. United States International reported.

[In Washington, a source familiar with the situation termed Lange's statement accommodating: "The government won't ask the United States to breach its policy of neither confirming or denying the presence of nuclear weapons on U.S. ships. It leaves the question of nuclear arms to New Zealand's own assessment."]

Lange told a news conference that Deputy Prime Minister Geoffrey Palmer plans to invite a U.S. warship to visit when he speaks with Secretary George P. Shultz in Washington next week about New Zealand's pending legislation on its antinuclear policy and the resumption of ship visits.

Washington cut defense ties with New Zealand after Lange's Labor government blocked a U.S. visit in February.

H.R. 2385, FEDERAL TRADE COM- MISSION REAUTHORIZATION

HON. DOUG WALGREN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 18, 1985

Mr. WALGREN. Mr. Speaker, I want to express my support for H.R. 2385 to authorize the Federal Trade Commission to continue its efforts to protect competition in the marketplace and to protect the consumer. At my urging, the Energy and Commerce Committee, which developed this bill, added two provisions directing the Federal Trade Commission to conduct studies of unfair and deceptive practices in the life care and nursing home industries.

By specific language in the bill, the FTC is directed to examine an area where attention is long overdue—housing and health care for the elderly. Joining a retirement community and making arrangements for health care are several of life's most significant and difficult decisions; protecting elderly consumers in the area of housing and health care should be one of Government's greatest priorities. The bill before us recognizes this by including my amendments that require the FTC to do studies of unfair and deceptive practices in the nursing home and life care industries.

NURSING HOME STUDY

The Federal Trade Commission has been doing some exploratory work on the nursing home industry for some time. My amendment requires that this work be completed in one year with a report to Congress and requests an assessment of the need for an industrywide rulemaking.

In the area of nursing homes, most studies and congressional attention have focused on the physical quality of care, certainly an important area. In this bill, the FTC is directed to examine unfair and deceptive practices. Several reports have revealed problems such as inadequate cost disclosures, oppressive billing practices, misuse of residents' funds or personal property, undisclosed and arbitrary discharge policies, unfair and deceptive contract provisions, and inadequate disclosure of services prior to signing contracts. Former FTC Commissioner Elizabeth Dole has said:

... Certain nursing home admission agreements (as well as other business practices) contain a host of unfair and abusive provisions which literally invite scrutiny under Section 5 (of the Federal Trade Commission Act) ... I strongly suspect these provisions contribute substantially to the deplorable conditions which some nursing home operators tolerate in their facilities ...

LIFE CARE STUDY

Life care, also known as continuing care, is a contractual arrangement under which a person usually pays an entry fee on average \$40,000—and a monthly fee—\$300 to \$1,200—in exchange for living quarters, health care and other services for the duration of one's life. In a life care community, residents receive housing, meals, services such as cleaning, recreation, and health care, including nursing home care. Life care is a \$3 billion commercial enterprise today and growing; 60 percent of people retiring today could probably afford life care. For those who can afford it, it offers a very comforting living arrangement of one's golden years.

NEED FOR STUDY

Scrutiny of these consumer transactions is warranted for several reasons. The individuals involved are probably the most vulnerable in our society. They are purchasing very expensive services at a time when they must urgently provide for their needs and are perhaps easily convinced. In some cases, they have to move quickly. Additionally, they literally do not have the time to resort to judicial relief—usually a lengthy process—if abused.

In the case of nursing home transactions, purchasers are usually not in a position to "comparison shop" and thus do not have the "normal protections" of the free market. Families are coping with the emotional and practical trauma of putting a parent or spouse into a nursing home. We cannot rely on the traditional "buyer beware" model of the market to insure a sound and fair purchase.

The life care transaction is unique because of both the nature and magnitude of the transaction: People give all to get all. Many put their entire life-time resources into their contract, trusting that they will be cared for for life. They literally are in the position of playing "you bet your life."

Because of the size of the transaction, the potential for misunderstanding and risk are great. Life care proprietors control large sums of money and could have as much as \$7 to \$12 million on hand before opening the facility. Since it is often difficult to estimate life expectancy and health care costs, financial projections often do not match reality. As a result, residents can be left in very vulnerable positions—with little security, insurance or equity, if financial difficulties occur. Problems in the life care industry have been examined in hearings of the Senate Special Aging Committee, the April 1985 Money magazine, the Wall Street Journal, Forbes magazine, and others. The need for review by the FTC is compelling.

In both these areas, public funds are widely used. Medicare and Medicaid benefits are often the basis of arrangement for health care. The public deserves the reass-